



**RE: Letter from Oregon Toxics Alliance**

**Merlyn Hough** to: Paul Koprowski, Ginsburg.Andy  
Cc: Collier.David, "Sally Markos", "Sandra Lopez"

07/09/2009 02:58 PM

1 attachment



PM10 Trend in Eugene-Springfield-Cottage Grove 1985-2008.pdf

Paul:

Attached are some EJ conversations related to the Seneca proposed project.

--- Merlyn

**From:** Merlyn Hough

**Sent:** Thursday, July 09, 2009 2:53 PM

**To:** 'Koprowski.Paul@epamail.epa.gov'; Ginsburg.Andy@deq.state.or.us

**Cc:** Collier.David@deq.state.or.us; Sally Markos; Sandra Lopez

**Subject:** RE: Letter from Oregon Toxics Alliance

Paul:

I would be very interested in a presentation from Running Grass or Monica Kirk on environmental equity or environmental justice issues, or even on broader Title VI applications to environmental programs.

Would you be interested in our responses to EJ questions on this project?

--- Merlyn

**Merlyn L. Hough**

**Director**

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**LRAPA**  
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**From:** Koprowski.Paul@epamail.epa.gov [

mailto:Koprowski.Paul@epamail.epa.gov]

**Sent:** Thursday, July 09, 2009 1:53 PM

**To:** Ginsburg.Andy@deq.state.or.us

**Cc:** Collier.David@deq.state.or.us; Merlyn Hough

**Subject:** Letter from Oregon Toxics Alliance

Andy,

David and I talked yesterday about a letter from the Oregon Toxics Alliance regarding an environmental justice issue recently raised by the "alliance."

The "alliance" claims there are environmental justice issues that should affect the permitting of the Seneca Sawmill in Eugene. David thought you and others might want to know about EPA's response to the letter from the "alliance".

I talked with our EJ contact in Seattle, Running Grass, and he said he will brief his managers next week and they'll provide him with direction on the level of EPA response, if any. I asked him to keep me informed about the decision and any developments on a written response.

While talking with David it occurred to us that others at DEQ may be interested in Running Grass or Monica Kirk giving a short presentation on how and when a response is warranted. If you think it would be a useful to include a briefing in one of your management team meetings just let me know and I'll make the arrangements.

Regards,

Paul

----- Message from "Merlyn Hough" <merlyn@lrpa.org> on Fri, 15 May 2009 18:00:20 -0700 -----

**To:** "OMEALY Mikell" <OMEALY.Mikell@deq.state.or.us>

**cc:** <lande.gregg@deq.state.or.us>, "Sandra Lopez" <sandra@lrpa.org>

**Subject:** Mayor's Meeting Review

Mikell:

I thought the meeting went very well today. We covered many issues: energy, sustainability, forest practices, biomass utilization, air quality, health, and environmental justice. Lisa Arkin included environmental equity on her list of concerns and Gregg Lande offered DEQ assistance on EJ. But most of the discussion was on the other issues.

I believe Mayor Piercy got all of her questions answered. There were about 20 participants representing the various subject areas. I found it very educational.

The more I ponder the potential EJ issues, I don't believe they should be concerns on this project at this

location. Here is a weblink to some of the key demographic maps of the region .

[http://www.thempo.org/prog\\_proj/rtp/rtp\\_environ.cfm](http://www.thempo.org/prog_proj/rtp/rtp_environ.cfm).

See maps 4, 5, 6 and 7 (poor, elderly, minorities, and disabled, respectively). The Seneca sawmill is located in the top left corner of each map, on the northeast side of the intersection of Airport Road and Highway 99.

And even if EJ was a potential problem it would be more appropriate to address it during the air pollution control strategy development (and/or rule adoption) rather than during a specific permit application review. Essentially the control strategy development did ensure EJ since the strategy was designed to provide air quality meeting health standards at all locations in the region by prescribed deadlines, thus protecting against disparate impacts or disparate treatment. And the PM10 control strategy was successful in meeting standards at all locations on schedule as illustrated in the attached graph.

Please give me a call if you would like more details. And thank you very much for the EJ information!

--- Merlyn

**From:** Merlyn Hough  
**Sent:** Thursday, May 14, 2009 8:20 PM  
**To:** OMEALY Mikell  
**Subject:** RE: EJ information

Thanks, Mikell. This information is very helpful.

I look forward to recapping tomorrow's conversation with you!

--- Merlyn

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**From:** OMEALY Mikell [mailto:OMEALY.Mikell@deq.state.or.us]  
**Sent:** Thu 5/14/2009 5:44 PM  
**To:** Merlyn Hough  
**Subject:** EJ information

Hello Merlyn,

It was good to talk with you today. Here are a few of the EJ resources I mentioned .

DEQ's new EJ web page: <http://www.deq.state.or.us/about/envjustice.htm>

Oregon's new EJ Task Force:

[http://governor.oregon.gov/Gov/GNRO/environmental\\_justice.shtml](http://governor.oregon.gov/Gov/GNRO/environmental_justice.shtml)

Text from DEQ's new internal web page on EJ . <<12.08.Q-Net EJ web page.doc>>

I hope it goes well tomorrow and I'll be interested to hear more .

Mikell

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Mikell O'Mealy

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----- Message from "Merlyn Hough" <merlyn@lrpa.org> on Fri, 19 Jun 2009 15:01:23 -0700 -----

**To:** <larkin@oregontoxics.org>

**Subject:** Environmental Justice

Lisa:

This is the e-mail I promised in my note to you when I stopped by OTA earlier today .

I read your article in the [Summer 2009 OTA Oregon Updater](#) entitled: "Why is the Eugene Biomass plant an environmental justice issue?" I was surprised by several of your conclusions. Are you available to discuss this issue in the next few days?

I don't consider myself a Title VI Civil Rights expert, but I have been alert to environmental equity issues for most of my career, and especially since the 1990s. During 1994-2005, much of my work involved cleanup of contaminated sites in western Oregon that posed health risks to the public. Many of these contaminated sites were located in low-income or minority communities. So I have been reasonably cognizant of environmental equity issues, and the Eugene biomass proposal does not appear to me to be an environmental justice conflict.

For example, the LCOG maps of local region demographics ( [http://www.thempo.org/prog\\_proj/rtp/rtp\\_environ.cfm](http://www.thempo.org/prog_proj/rtp/rtp_environ.cfm)) indicate good separation of the Seneca site from the population areas of special equity concern. When I compare maps 4, 5, 6 and 7 (poor, elderly, minorities, and disabled, respectively) to the significant impact area of the proposed biomass facility in Appendix I of the air permit application ( <http://www.oregontoxics.org/AQ/Seneca/Seneca-CogenApplication.pdf> ) I conclude that the proposed facility is located in one of the best areas of the Eugene-Springfield UGB from an environmental justice perspective. The Seneca sawmill is located in the top left corner of each LCOG map, on the northeast side of the intersection of Airport Road and Highway 99. The significant impact area (Appendix I, Figure 7) is located north of Clear Lake – Irving Road between Hwy 99 and Prairie Road in an industrial area a considerable distance from any of the demographic areas of special concern from an EJ perspective.

I look forward to discussing this with you. Environmental equity is important to me, so I am especially interested in your perspective and any information you have reviewed that I have not considered.

Thanks, Lisa.

--- Merlyn

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